THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :25382 of 2007

DATED:29-11-2007

BETWEEN:
S.Srinivas Kumar.

..... PETITIONER

AND

Special Grade Deputy Collector &
Revenue Divisional Officer,
East Division,
Rangareddy District & another.

.....RESPONDENTS

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ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Revenue appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the respondents in taking steps to evict the petitioner from the land of an extent of Ac.3.02 guntas situated in Sy.No.10/113, 10/114, 10/115, and 10/117 of Batasingaram village, Hayathnagar mandal, Rangareddy District pursuant to the proceedings No.C/888/2005, dated 19-06-2006, of the 2nd respondent even during the pendency of the appeal preferred by the petitioner to the 1st respondent, as illegal, and arbitrary.

3. It is the case of the petitioner that he is the purchaser of an extent of 3.02 guntas in Sy.No.10/113, 10/114, 10/115, and 10/117 of Batasingaram village, Hayathnagar mandal, Rangareddy District. Whileso, the 2nd respondent issued Form-I notice, dated 04-07-2005, as to why petitioner shall not be evicted on the ground that the said land was assigned in favour of one C.Muthaiah and three others, who changed the agricultural land into non-agricultural land and commercially converted into plots and sold away to others. Notice was affixed on the notice board, and since no reply was received resumption orders have been passed vide proceedings No.C/888/2005, dated 19-06-2006, resuming the said lands under Section 4(1) (a) of the A.P.Assigned Lands (Prohibition of Transfers) Act, 1977 (for brevity, 'the Act') which is

appealable to the Revenue Divisional Officer under Section 4A of the Act.

4. It is stated that petitioner filed an appeal No.B/291/07 along with application for grant of stay on 12-11-2007 and even before the appeal is considered and disposed of, 2nd respondent is taking steps to evict the petitioner. Hence, the present Writ Petition.

5. I am not inclined to express any opinion on the merits of the case. As it is stated that appeal said to have been filed on 12-11-2007 is pending alongwith stay application, 1st respondent is directed to consider and dispose of the appeal No.B/291/07 filed against the proceedings of the 2nd respondent-Tahsildar-Mandal Revenue Officer, Hayathnagar, dated 19-06-2006, in No.C/888/05, and pending disposal of the appeal, *status quo,* obtaining as on today, with regard to possession shall be maintained.

6. Accordingly, Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

29th November, 2007.
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